

## **REMARKS**

Claims 1-3, 5-9, 11-16, and 18-20 are pending in the application. Independent claims 1, 7, and 13 have been amended to recite that upper limits of resolutions (processing contents) vary from one sending mode (image sending route) to another, as described on page 20, lines 13-16 of the specification. Further, independent claims 1 and 7 have been amended to clarify that the resolution corresponding to the index of the image quality and the sending mode differs from one sending mode to another and differs from one index of image quality to another. The amendments are fully supported by the application as originally filed (see, e.g., specification at page 20, second paragraph to page 24, first paragraph).

Applicants' claimed invention addresses a problem in which multi-function devices are configured to send images scanned by a scanner in different modes (e.g., fax mode, scan to email mode, and scan to FTP mode), but "the sending modes have different upper limits of resolution and different upper limits of capacity of sendable image data" (see specification at page 2, third paragraph to page 3, line 1). As stated on page 3, lines 1-3 of the specification, in conventional multi-function devices, "it is not possible to match resolutions of all sending modes even when the same image quality is selected." Therefore, in a conventional multi-function device having plural sending modes, it is necessary to set the resolution according to the sending mode selected by a user, so that it is difficult for the user who is not knowledgeable to select an appropriate resolution "from a set of different resolutions" (see page 3, second paragraph).

Applicants' claimed invention solves the above problem by reciting "selecting and setting an index of an image quality for the image data to be sent from plural indices of the image quality common to the plural types of sending modes," where "the resolution corresponding to the index of the image quality and the sending mode differs from one sending mode to another and differs from one index of the image quality to another in each of the plural types of sending modes," as recited in independent claim 1. Further, as recited in independent claim 1, "upper limits of resolutions corresponding to the plural types of sending modes vary from one sending mode to another." *See also* independent claims 7 and 13.

Claims 1-3, 5-9, 11-16, and 18-20 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 5,488,483 to Murayama et al. ("Murayama") in view of U.S. Patent 7,061,653 to Kohri, and further in view of U.S. Patent 6,614,551 to Peek. This rejection is respectfully traversed.

Regarding the rejection of independent claims 1, 7, and 13 over the proposed combination of Murayama in view of Kohri, and further in view of Peek, the proposed combination does not teach or suggest an image sending method and device including: "selecting and setting an index of an image quality for the image data to be sent from plural indices of the image quality common to the plural types of sending modes," where "the resolution corresponding to the index of the image quality and the sending mode differs from one sending mode to another and differs from one index of the image quality to another in each of the plural types of sending modes," as recited in independent claim 1 (*see also* independent claims 7 and 13). Further, there is no teaching or suggestion in the proposed combination that: "upper limits of resolutions corresponding to the plural types of sending modes vary from one sending mode to another," as claimed.

On page 4, second paragraph of the Office Action of 03/25/2009, it was admitted that the Murayama reference does not teach or suggest the claim limitation: "wherein the resolution corresponding to the index of the image quality and the sending mode differs from one sending mode to another and differs from one image quality to another in each of the plural types of sending modes" (independent claim 1; *see also* independent claims 7 and 13).

Referring to column 6, lines 34-39 of Kohri, as cited in the Office Action of 03/25/2009, it is disclosed that for a monochrome transmission, one of the following resolutions can be selected: 100x100 dpi, 200x200 dpi, 200x400 dpi, 300x300 dpi, and 400x400dpi; whereas for a color transmission, one of the following resolutions can be selected: 100x200 dpi, 200x200 dpi, 300x300 dpi, and 400x400 dpi.

Referring to column 6, lines 42-47 of Kohri, it is further stated that "the resolutions and color/monochrome transmission types can be combined as selection items...", i.e., the available resolutions can overlap for the color and monochrome settings.

There is no teaching or suggestion in Kohri that a resolution is set "corresponding to the selected index of the image quality," as recited in independent claim 1 (*see also* independent claims 7 and 13).

In Kohri, a user selects the appropriate resolution directly by use of the Quality field 42 (see column 6, lines 33-39; and FIG. 4 of Kohri). In other words, the appropriate resolution in Kohri is **not** set "corresponding to the selected index of the image quality" as claimed.

Further, Kohri does not teach or suggest anything about "plural indices of the image quality common to the plural types of sending modes," or where "the resolution corresponding to the index of the image quality and the sending mode differs from one sending mode to another and differs from one index of the image quality to another in each of the plural types of sending modes" (independent claim 1; *see also* independent claims 7 and 13).

It is apparent that one of ordinary skill in the art would have no motivation to combine the Kohri reference with Murayama, at least because in Murayama, either standard or precision resolution is selected by a user, which results in a resolution automatically being set for the G4 or color modes. Therefore, there would be no motivation to require the additional step of manually selecting a particular resolution, e.g., as taught by Kohri. Further, the proposed combination does not address the above-described problem with regard to the difficulty of selecting a resolution, which is solved by the Applicants' claimed invention.

Further, the proposed combination does not teach or suggest that: "upper limits of resolutions corresponding to the plural types of sending modes vary from one sending mode to another," as claimed.

In Murayama, upper limits of resolutions for different sending modes are the same (400dpi x 400dpi), regardless of whether G4 or color mode is selected.

In Kohri, upper limits of resolutions for color and monochrome transmission are the same (400dpi x 400dpi).

Therefore, even if Kohri was combined with Murayama, and further in view of Peek, the proposed combination would not teach or suggest at least that "upper limits of resolutions corresponding to the plural types of sending modes vary from one sending mode to another," as claimed.

For at least the reasons discussed above, the proposed combination of Murayama in view of Kohri, and further in view of Peek, does not teach or suggest the Applicants' invention. Therefore, independent claims 1, 7, and 13 and their respective dependent claims are patentable over the proposed combination.

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

/Steven M. Jensen/

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